

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
AT DETROIT**

JONATHAN A. LOPEZ-BRIONES,

Petitioner,

: Case No. 2:16-cv-12790

- vs -

District Judge Thomas M. Rose  
Magistrate Judge Michael R. Merz  
(both by assignment)

ROBERT NAPEL,

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Respondent.

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**ORDER ADOPTING REPORT AND RECOMMENDATIONS**

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Pursuant to 28 U.S.C. § 636(b)(1)(A), (B), and (C) and § 636(b)(3), the above-captioned action was referred to United States Magistrate Judge Michael R. Merz (ECF No. 9). On October 1, 2019, the Magistrate Judge filed a Report and Recommendations recommending that the Petition herein be dismissed (ECF No. 10). The Report notified Petitioner that any objections were required to be filed not later than October 18, 2019. No objections have been filed and the Court accordingly ADOPTS the Report and Recommendations and orders that this case be dismissed with prejudice. Because reasonable jurists would not disagree with this conclusion, Petitioner is denied a certificate of appealability and the Court certifies to the Sixth Circuit that any appeal would be objectively frivolous and therefore should not be permitted to proceed *in forma pauperis*.

The Clerk is ordered to enter judgment accordingly.

November 4, 2019.

s/ Thomas M. Rose  
Thomas M. Rose  
United States District Judge